

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JULIUS CZUDAR, an individual,

Plaintiff,

vs.

PRO-VIGIL, INC., a foreign corporation  
headquartered in Texas,

Defendants.

CASE NO.: 2:19-cv-001784-GMN-NJK

**ORDER GRANTING STIPULATION TO EXTEND  
DISCOVERY AND DISPOSITIVE MOTION FOR  
DEADLINES**

**(Third Request)**

The parties, by and through their respective counsel of record, hereby stipulate and agree as follows:

1. On February 28, 2020, this Court entered an Order granting the Stipulated Discovery Plan and Scheduling Order submitted by the parties.

2. On July 23, 2020, this Court extended all Discovery Deadlines by 90 days.

3. This is the third request by the parties to amend the Court's February 28, 2020 Scheduling Order.

4. The First Request was denied.

1           5.       The parties stipulated and agreed to extend the discovery and dispositive motion deadlines  
2 for ninety (90) days as necessary to allow for unforeseen delays that the Covid-19 Pandemic.

3           6.       The parties have been diligent but given the pandemic there have been mandated closures,  
4 witnesses are unavailable and/or have limited availability, there has been remote and/or limited access to  
5 information, and counsel for the parties have both had medical issues.

6           7.       Plaintiff's Counsel's office had a case of Covid-19 on his staff which necessitated a second  
7 shutdown of his business operations which followed the initial shutdown.

8           8.       The parties were forced to continue the initial ENE session because Plaintiff's Counsel was  
9 hospitalized for four (4) days with shortness of breath.

10           9.       The ENE session was extended until May 20, 2020, in an attempt to resolve the underlying  
11 lawsuit without necessitating the need for further litigation.

12           10.      Plaintiff's Counsel had surgery on September 3, 2020.

13           11.      The surgery left Counsel in a cast for nine (9) weeks.

14           12.      Plaintiff's Counsel remains unable to walk without the assistance of crutches.

15           13.      This unforeseen medical emergency has created additional delays in answering written  
16 discovery, and working with Plaintiff.

17           14.      This Request is not for the purpose of delay and is made in good faith.

18                   **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

19           Plaintiff served the following disclosures:

- 20                   a.       Initial Disclosures on March 7, 2020;
- 21                   b.       First Supplemental Disclosures on March 17, 2020.
- 22                   c.       Second Supplemental Disclosures on October 9, 2020.

23           Plaintiff served the following discovery requests:

- 24                   a.       First Set of Interrogatories on April 16, 2020.

- 1           b.       First Set of Request for Production of Documents on April 16, 2020.

2       Defendant served the following disclosures:

- 3           a.       Initial Disclosures on March 5, 2020;
- 4           b.       First Supplemental Disclosures on April 28, 2020.
- 5           c.       Second Supplemental Disclosures on October 30, 2020.

6       Plaintiff answered the Discovery Requests:

- 7           a.       First Set of Interrogatories on October 9, 2020.
- 8           b.       First Request for Production of Documents on October 9, 2020.

9       Defendant served the following discovery requests:

- 10           a.       First Set of Interrogatories on June 10, 2020.
- 11           b.       First Set of Request for Production of Documents on June 10, 2020.

12       Defendant served the following Responses to Discovery:

- 13           a.       Responses to Interrogatories on October 30, 2020.
- 14           b.       Responses to Requests for Production of Documents October 30, 2020.

15                   **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

16       The parties plan to meet and confer regarding written discovery, an appropriate protective order,

17       and conduct multiple depositions, including but not limited to the deposition of Plaintiff, Jeremy White,

18       and Megan Berg. The parties anticipate that ninety (90) days should be sufficient to complete Discovery

19       and to avoid further requests for extensions. For the above stated reasons, the parties request that the

20       discovery deadline be extended ninety (90) days from **December 10, 2020** to **March 10, 2021**.

21                   **PROPOSED SCHEDULE**

22       The parties stipulate and agree that:

- 23           1.       **Discovery:** The discovery period shall be extended ninety (90) days from **December 10,**
- 24       **2020 to March 10, 2021.**

2. **Dispositive Motions:** The parties shall have through and including **April 11, 2021**, to file dispositive motions.

3. **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial Order shall be filed thirty (30) days after the date set for the filing of dispositive motions. Therefore, the Joint Pretrial order shall be filed no later than **May 11, 2021**. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after decision on the dispositive motions or by further order of the Court.

This stipulation and order is sought in good faith and not for the purpose of delay. No prior request for any extension of scheduling deadlines has been made.

Dated this 18<sup>th</sup> day of November, 2020.

**JACKSON LEWIS P.C.**

/s/ Lisa McClane

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**ORDER**

IT IS SO ORDERED November 20, 2020.

  
UNITED STATES MAGISTRATE JUDGE